3726

#47/dfnr 10-20-04 Ret re aband.

SKO-104-A-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Tojo et al.
Serial Number:	08/627,270
Filed:	04 April 1996
Group Art Unit:	3726
Examiner:	Rosenbaum, Irene Cuda
Confirmation No.:	8976
Title:	METHOD AND MACHINE FOR FORMING PROTECTIVE FILM ON SPRAYED COATING OF LARGE-SIZED PRODUCT

REQUEST FOR RECONSIDERATION OF HOLDING OF ABANDONMENT OF PATENT APPLICATION

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice Of Abandonment dated 10 May 2004, in which the referenced application has been held abandoned for alleged failure to file a timely or proper reply to a notice or action by the United States Patent and Trademark Office (PTO), applicant hereby requests reconsideration of such holding of abandonment because applicant did, in fact, file a timely response to the Office Action of 12 September 2003 in this application.

Discussion

1. Office Action was issued 12 September 2003.

2. Page 11 of the Office Action states facsimile responses to the Office Action are to be directed to (703)308-7058.

3. Applicant's undersigned representative filed a responsive Amendment (20 pages) via facsimile at (703)308-7058 on 12 December 2003, and hence within the three month shortened statutory response period set forth in the Office Action. A copy of the Amendment is attached hereto as Exhibit A.

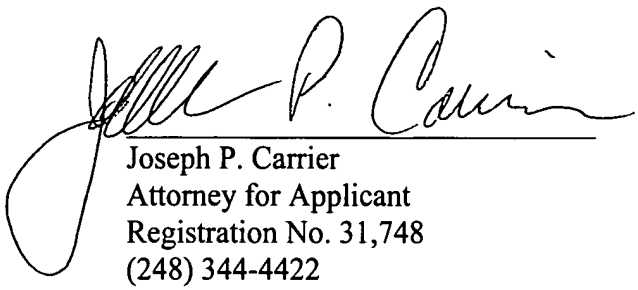
4. The U.S. Patent and Trademark Office, in fact, received the responsive Amendment on 12

December 2003. See Exhibit B, which a copy of the transmission/reception log for applicant's representatives facsimile machine. The log shows that a 20 page facsimile was successfully sent to the PTO at (703)308-7058 at 6:00 p.m. on 12 December 2003

Thus it is respectfully submitted that applicant timely responded to the Office Action of 12 September 2003, so that the application was never abandoned.

Accordingly, it is respectfully requested that the holding of abandonment be reconsidered and withdrawn.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on 13 May 2004.

Dated: 13 May 2004
JPC/km
enclosures

Kathryn MacKenzie

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/627,270	04/04/1996	HIDEAKI TOJO	SKO-104-A-1	8796

7590 05/10/2004

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EXAMINER	
ROSENBAUM, IRENE CUDA	
ART UNIT	**PAPER NUMBER**
3726	

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

SKO-104-A-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Tojo et al.
Serial Number:	08/627,270
U.S. Filing Date:	April 4, 1996
Group Art Unit:	3726
Examiner:	Rosenbaum, Irene Cuda
Confirmation No.	8976
Title:	"Method and Machine for Forming Protective Film on Sprayed Coating of Large-Sized Product"

Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Introductory Comments

In connection with the above-identified application, and further to the CPA and Preliminary Amendment filed December 2, 2002, please further amend the above-identified application as discussed herein. This amendment is being submitted under the Revised Amendment Format permitted as of January 31, 2003.

IN THE SPECIFICATION:

Please amend the paragraph at page 13, lines 18-24 of the specification as shown below.

Paragraph at Page 13, lines 18-24

Where a water-soluble strippable paint is used, it is desired that the temperature and the moisture inside the booth be in ranges of 10-25°C and 50-80%, respectively. As an example, Lapguard brand ~~peelable~~ paint prepared by Kansai Paint Co., Ltd., Japan, was used as the water-soluble strippable paint, and it was applied inside the application booth 4 under the above-described temperature and moisture conditions.

IN THE CLAIMS:

Please amend claims 20, 27, 30, 31, 38, 39, and 41-46 as shown below, in which deleted terms are shown with strikethrough and added terms are shown with underscoring. Also please add new claims 47-48 as shown.

Claims 1-13 (Cancelled).

Claims 14-16 (Withdrawn).

Claims 17-18 (Cancelled).

Claim 19 (Withdrawn).

Claim 20 (Currently Amended) In a vehicle manufacturing method involving press-forming panel parts from a sheet metal and welding the panel parts together to form an automobile body, the method comprising the steps of:

painting the automobile body so that the automobile is paint-finished;

assembling an engine and functional parts into the paint-finished automobile body to thereby produce an assembled automobile; and

inspecting the assembled automobile,

wherein the method further includes, between the painting and the assembling steps, coating a ~~peelable~~ strippable paint on a painted surface of the paint-finished automobile body to thereby form a protective film on the painted surface, and

at least the assembling step is carried out while the protective film of the ~~peelable~~ strippable paint remains coated on the painted surface of the paint-finished automobile body.

Claims 21-26 (Cancelled).

Claim 27 (Currently Amended) The method of claim 20, further including the steps of:

preliminarily drying said coated ~~peelable~~ strippable paint using a first drying means; and

non-preliminarily drying the preliminarily dried, ~~peelable~~ strippable paint using a second drying means.

Claims 28-29 (Cancelled).

Claim 30. (Currently Amended) The method of claim 27, wherein said step of preliminarily drying said ~~peelable~~ strippable paint uses infrared radiation from said first drying means and said step of non-preliminarily drying said ~~peelable~~ strippable paint uses hot air from said second drying means.

Claim 31. (Currently amended) The method of claim 27, further including the step of stabilizing the ~~peelable~~ strippable paint after it is coated on said product and prior to said preliminary drying step.

Claim 32. (Original) The method of claim 31, wherein said stabilizing step is performed at room temperature.

Claim 33. (Original) The method of claim 27, wherein said preliminary and non-preliminary drying steps are performed at elevated temperatures.

Claims 34-35 (Cancelled).

Claim 36 (Withdrawn).

Claim 37. (Original) The method of claim 32, wherein said preliminary and non-preliminary drying steps are performed at elevated temperatures.

Claim 38. (Currently amended) The method of claim 20, wherein said ~~peelable~~ strippable paint is water based.

Claim 39. (Currently amended) The method of claim 27, wherein said ~~peelable~~ strippable paint is water based.

Claim 40. (Previously amended) The method of claim 31, wherein said stabilizing step is performed at an ambient temperature of 15-30 °C and an ambient humidity of 50-80% .

Claim 41. (Currently amended) The method of claim 27, wherein said preliminary drying step promotes drying of said coated ~~peelable~~ strippable paint from inside the coating, and said non-

preliminary drying step dries the preliminarily dried, coated ~~peelable~~ strippable paint from outside the coating.

Claim 42. (Currently amended) The method of claim 30, wherein said preliminary drying step dries said coated ~~peelable~~ strippable paint from inside the coating, and said non-preliminary drying step dries the preliminarily dried, coated ~~peelable~~ strippable paint from outside the coating.

43. (Currently amended) The method of claim 31, wherein said ~~peelable~~ strippable paint is water soluble and said stabilizing step is performed by allowing the automobile to stand for a sufficiently long time at an ambient temperature of 15–30 °C and an ambient humidity of 50-80% after application of the peelable paint before said preliminary drying step.

44. (Currently amended) The method of claim 20, further comprising the steps of:

partially drying the ~~peelable~~ strippable paint coated on the painted surface of the paint-finished automobile so as to promote drying of the ~~peelable~~ strippable paint from inside thereof; and

then finally drying the automobile to uniformly dry the entire ~~peelable~~ strippable paint coated on the painted surface of the paint-finished automobile.

45. (Currently amended) The method of claim 20, further including the step of shipping the manufactured vehicle after the inspecting step, wherein said inspecting and shipping steps are carried out while the protective film of the ~~peelable~~ strippable paint remains coated on the assembled automobile body.

46. (Currently amended) The method of claim 20, wherein said protective film formed in said ~~peelable~~ strippable paint coating step has a sufficient thickness to protect said painted surface of the paint-finished automobile body against scratches during said assembling step.

47. (New) The method of claim 20, wherein said strippable paint coating step involves painting said strippable paint on multiple surfaces of the paint-finished automobile body to thereby form a protective film on the painted surfaces.

48. (New) The method of claim 20, wherein said strippable paint coating step involves painting said strippable paint on all exterior surfaces of the paint-finished automobile body to thereby form a protective film on the painted surfaces.

REMARKS

Upon entry of the present proposed Amendment, the claims in the application are claims 14-16, 19, 20, 27, 30-33 and 36-48, of which claims 14, 19 and 20 are independent and of which claims 14-16, 19 and 36 have been withdrawn from consideration by the Examiner as directed to a non-elected invention. New claims 47-48 are drawn to the elected invention. The Commissioner is hereby authorized to charge $36.00 to Deposit Account No. 50-0744 in the name of Carrier, Blackman & Associates, P.C., in payment of the fee for presentation of 22nd and 23rd total claims. A duplicate copy of this sheet is attached.

In the above amendments, claims 20, 27, 30, 31, 38, 39, and 41-46 are amended to change all occurrences of the term --peelable-- back to "strippable", while the specification is similarly amended to remove the term "peelable" added in a prior amendment. New claim 47 further defines that the strippable paint is coated on multiple painted surfaces of the paint-finished automobile body during the strippable paint coating step, and similarly new claim 48 defines that the strippable paint is coated on all exterior painted surfaces of the paint-finished automobile body during the strippable paint coating step.

Applicant respectfully submits that the proposed amendments are fully supported by the original disclosure, including the discussion at pages 22-23 of the original specification describing that the strippable paint is applied to the paint finished surfaces of the automobile body. Applicant also respectfully submits that no new matter is introduced into the application by the above amendments.

35 USC 112 Issues

First Paragraph

At page 2 of the Office Action, the Examiner has rejected claims 14-16, 19, 20, 27, 30-33, and 36-46 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner objects to the term "peelable" as not literally supported by the original disclosure, and also objects to the language of claim 46 as constituting impermissible "new matter".

Additionally, at page 4 of the Office Action, the Examiner has objected to the previous amendments made to the specification of 27 March 2003 under 35 USC 132 as constituting impermissible "new matter".

Applicant's Response

Applicant respectfully submits that the above amendments deleting the term "peelable" overcomes the Examiner's rejection of claims 14-16, 19, 20, 27, 30-33, and 36-45, and the related objection to the specification.

On the other hand, in relation to claim 46 and the related sentence added to the specification, applicant respectfully submits that the subject feature is adequately supported by the original written disclosure in that persons skilled in the art would understand from the original disclosure, including the discussion that the protective coating replaces a reusable scratch cover that has conventionally been used during an automobile manufacturing operation, that the protective film has a sufficient thickness to protect said painted surface of the paint-finished automobile body against scratches during the assembling step. The discussed feature would have been understood from the original disclosure.

Based on the foregoing, the rejection of claims 14-16, 19, 20, 27, 30-33, and 36-46 under 35 USC 112, first paragraph, and the corresponding objection to the specification under 35 USC 132 are believed to be overcome, and accordingly it is respectfully requested that the rejection an d objection be reconsidered and withdrawn.

Second Paragraph

Claim 43 is rejected under 35 USC '112, second paragraph, it being the Examiner's position that the language "sufficiently long time" used in describing the stabilizing step is vague and indefinite.

Applicant has carefully considered the Examiner's rejection, but respectfully traverses same for those reasons discussed in the Supplemental Amendment of 27 March 2003, e.g., the claim language is adequately definite within the guidelines of 35 USC §112, second paragraph, because persons skilled in the art would clearly understand the meaning of "sufficiently long time" as used in claim 43 when considered in light of the full disclosure of the stabilizing step as presented in the specification. Accordingly, it is again respectfully requested that the rejection of claim 43 as indefinite be reconsidered and withdrawn.

35 USC 103(a) Issues

In the Office Action of 12 September 2003, the following rejections are presented under 35 USC 103(a).

1. Claims 20, 27, 30-33, 37-40 and 43-46 are rejected under 35 USC '103(a) as being unpatentable over US Patent 5,186,978 to Woodhall et al. in view of US Patent 4,727,232 to Omori et al, and vice versa.

2. Claims 27, 30-33, 37 and 40 - 44 are rejected under 35 USC '103(a) as being unpatentable over Woodhall '978 in view of Omori and Nelson et al. US Patent 4,907,533.

3. Claims 31, 32, 40 and 43 are rejected under 35 USC '103(a) as being unpatentable over Woodhall '978 in view of Omori, Nelson and Bradshaw US Patent 4,367,787.

4. Claim 45 is rejected under 35 USC '103(a) as being unpatentable over Woodhall '978 in view of Omori, and Grogan US Patent 5,143,949.

It is the Examiner's position that Woodhall '978 teaches most aspects of the claimed invention, including use of his peelable coating material during assembly line manufacture of an automobile, and to the extent that Woodhall does not teach some of the claimed features, it would have been obvious to a person of ordinary skill in the art at the time of the invention to provide Woodhall's coating material/method with such features based on select teachings of the secondary references, as matters of obvious design choice, as conventional matters of well-known information such that "official notice" may be taken of same, etc.

Applicant's Response

Applicant has carefully considered the Examiners rejections, but respectfully traverses each of same, and submits that each of the rejected claims are clearly, patentably distinct over the applied art, based on the following.

A. First, in relation to the Woodhall '978 patent, applicant respectfully submits that Woodhall does not disclose or suggest the specific application - use for his coating material as claimed, i.e., a vehicle manufacturing method in which the strippable paint is applied before an engine and functional parts are assembled to the automobile body.

In this regard, Woodhall's masking material is indicated to be useful in protecting a painted surface of a building or vehicle during a "mechanical processing operation" of an adjacent surface, including operations such as "painting, grinding, welding and etching" steps of a vehicle assembly operation. See his column 1, lines 64-66. Applicant respectfully submits that this is very distinct from coating the painted vehicle body with a protective coating during an assembly line manufacturing process for purposes of generally protecting same from accidental scratches or the like during manufacture, storage and shipping, or specifically during mounting of an engine and functional parts to the vehicle body during an assembly line manufacture of the automobile as recited in independent claim 20, where an adjacent surface is *not being mechanically processed*, per se. Though not described in the application, the functional parts include auxiliary equipments of the engine, seats, seatbelt assemblies, meters, air conditioner, etc. As well known in the art, assembling operation of the engine and the functional parts is performed using electric and/or pneumatic power wrenches, screwdrivers, and other like fastening tools, but does not involve use of a painting device, grinder, welder or etching machine as in Woodhall.

In this regard, the Examiner indicates at the first paragraph on page 5 of the Office Action that she (broadly) interprets Woodhall's discussion regarding use of his coating during a vehicle assembly procedure "... include the assembling of the engine and functional parts into the automobile body." Applicant respectfully submits that such an interpretation is *not reasonable* in light of Woodhall's full, fair disclosure. Again, Woodhall's disclosure indicates that the coating is selectively applied to select portions of a vehicle which may be exposed to damage from processing of an adjacent surface, and he indicates that the coating would be applied *during each of the assembly steps* as may be necessary. This is very distinct from the presently claimed invention in which the coating is generally applied to the overall vehicle (the painted surfaces thereof) as a step in the assembly process prior to mounting of an engine and functional parts to

the vehicle body. Unlike Woodhall, the claimed invention advantageously avoids the conventional necessity of applying and removing reusable (heavy) protective covers during the assembly process.

B. Further, applicant respectfully submits that the various hypothetical modifications to Woodhall's coating method to achieve various aspects of the claimed invention based on select features of secondary references and/or obvious design choices as proposed by the Examiner to meet limitations of the claimed invention, are improperly based on suggestions coming from the Examiner (guided by impermissible hindsight of the present disclosure), rather than from any teaching or suggestion which may be fairly gleaned from the references themselves.

In this regard, applicant refers to the arguments presented in the Amendment of December 2, 2002 and in the Supplemental Amendment of 27 March 2003 regarding the deficiencies of the applied references regarding the *stabilizing* features of the invention and the impropriety of the various proposed modifications to the Swidler reference relative to various teachings of the secondary references, including Nelson and Bradshaw. Applicant respectfully submits that such arguments apply equally to the current rejections based on proposed hypothetical modifications to the Woodhall '978 reference. For example, regarding Nelson, while this reference discloses use of two stage drying of paint involving first and second drying means, Nelson specifically pertains to drying of first class paint finishes, not to a strippable, temporary coatings as in the present invention, such that Nelson actually *teaches away from* the claimed invention, as more fully discussed in the earlier amendments.

Additionally regarding proposed hypothetical modifications to Woodhall: at the first full paragraph on page 6 of the Office Action, the Examiner indicates a broad interpretation of the claimed partial and final drying steps such that the same are allegedly met by Woodhall; the Examiner alleges that it would have been a matter of design choice to use two drying means rather than one based on routine experimentation; and the Examiner alleges that the claimed limitations read on simply drying the paint ; while at the third full paragraph on page 6 of the Office Action, the Examiner takes "official notice" that use of IR radiation in conjunction with hot air for drying coatings.

Applicant has considered the Examiner's asserted position/allegations, but respectfully traverses same because they are not supported by any evidence of record or by the language of the present claims. For example, the claimed partial and final drying steps require use of *separate* (first and second) drying means and occur at different times, which is clearly not just a simple act of drying the paint . Further, there is no evidence of record showing that it is obvious to use either one or two different drying means, whereas similarly there is no evidence (or reason) showing the obviousness of performing any experimentation to make such a determination.

Still further, applicant respectfully submits that "official notice" is only appropriate for conventionally recognized facts, whereas the claimed special drying steps requiring use of *separate* (first and second) drying means in sequence is not a conventionally recognized fact, nor is it ever shown by any evidence of record specifically in relation to the strippable paint as claimed.

With regard to the rejection of claim 45 based on a further hypothetical modification to Woodhall based Grogan, applicant respectfully submits that none of the applied references disclose or suggest the claimed features of carrying out a final inspection and (of a manufactured vehicle) and shipping of the vehicle while the strippable protective coating applied during manufacture remains on the vehicle.

Advantages of the Claimed Invention

Applicant respectfully the unobviousness of the claimed invention over all of the applied references, including Woodhall, Omori, Nelson, Bradshaw and Grogan, is strongly reflected by the several *significant advantages* attained by the present invention over conventional practices, most of which advantages relate to the fact that the protective film is efficiently applied during the vehicle assembly process and can remain on the vehicle through final assembly, inspection, shipping and storage up to the point where the vehicle is delivered to the customer, which is never dsclosed or suggested by any of the references. The advantages include those discussed in the application and below:

1) Because the peelable paint coating is applied during the vehicle assembly process, the application is somewhat automated on the vehicle assembly line, the coating composition is

initially applied by nozzle onto paint finished surfaces and then manually spread with rollers and the like, which is much more efficient than application of, for example, the adhesive plastic films conventionally used to protect vehicles during shipment.

2) By virtue of the peelable paint coating formed during the assembling process prior to mounting the engine and functional parts to the vehicle body, the paint-finished surface of the automobile is protected against damage during such process (claim 20), during final inspection and shipping of the manufactured vehicle (new claim 45), and afterwards up to the point where the finished vehicle is delivered to the ultimate customer (see the copy of an April 12, 1996 Honda Technical Information previously submitted with the 27 March 2003 Amendment).

3) The assembly process, especially the final assembly when the engine and functional parts are mounted to the vehicle body, is heavily involved in manual operations such that there is great chance for the paint finished surface to be scratched by contact with workers or tools, or to be otherwise contaminated by grease and other foreign matter from the workers' clothing, gloves, tools, etc. The peelable paint applied during the assembly process according to the invention protects the paint finished surface against all of these injuries.

4) During the final assembly process, heavy reusable protective covers are used to protect the paint finished surface from contact with the workers, tools and parts mounted to the vehicle. The use of the heavy reusable covers is very labor intensive (requiring manual application of the covers, manual removal covers and prompt transportation of the removed covers back to application stage for reuse), while the reusable covers themselves can cause scratches to the paint finished surfaces as they are fitted and removed. With the claimed method of the invention, use of the reusable covers is significantly (but not entirely at the present time) reduced/replaced by the protective film, thus greatly reducing the expense of using the reusable covers, and the protective film of the invention functions better than the covers in preventing damage to the surfaces.

5) Within the manufacturing plant, after the vehicle is fully assembled, it must be carefully inspected, measured, etc. for any flaws. This final inspection process creates a great amount of dust and other airborne contaminants which alight on the vehicle and may damage the paint finished surface. The protective paint film of the invention remains on the vehicle after

assembly to protect the finish during the final inspection, which is possible because the film is clear.

6) After the vehicle is manufactured and finally inspected, it is stored and shipped to a dealer or other destination. Conventionally, the vehicle's paint finished surfaces are protected from damage during storage and transportation (primarily) by adhesively applied ,disposable plastic films as discussed above, and (to a much lesser extent) by a coating dissolvable with an alkaline aqueous solution, such as taught by Swidler. There are several problems or disadvantages associated with these conventional protections, e.g., typically the manufactured vehicles are stored outside of the manufacturing plant for some period before shipping so that the surface temperature must be adjusted (hotter or colder) for the adhesive films or dissolvable coating to be applied, for removal of the dissolvable coating dealers are required to have a large supply of alkaline solution in stock and to acquire expensive removal equipment, the adhesive films are typically black or white, which gives a bad appearance so that dealers tend to promptly remove same once the vehicles are received and subsequently wash the new vehicles when delivered to customers and such washing tends to cause small scratches which take away from the vehicles' appearance, the adhesive films are labor intensive (and hence expensive) to use, the adhesive films must be disposed of when removed, the adhesive films must typically be trimmed to fit any particular surface, thus creating waste, etc. The strippable paint applied during the manufacturing process substantially avoids all of these problems and disadvantages, e.g., the strippable paint is efficiently applied during the manufacturing process and remains on through shipping, the strippable coating is clear so that there is no incentive for the dealer to remove the film before the vehicle is delivered to the customer, there is little waste in application of the peelable film (99.4-99.6% efficiency), etc.

7) The cost involved for using the peelable protective films according to the invention is approximately ½ the cost of using the conventional adhesive plastic films.

Also, it should be noted that the industry has largely rejected/replaced use of Woodhall's coatings with the adhesively applied plastic films for protecting the paint finished surfaces of manufactured vehicles during shipping / transportation.

Secondary Evidence of Non-Obviousness

As previously argued, and described in the Affidavit of Hisashi Kurota (one of the inventors), the present invention has proven to be highly commercially successful for the assignee/owner Honda Giken Kogyo Kabushiki Kaisha (Honda) in terms of manufacturing efficiency and economy, while the patentability of the claimed invention has been recognized by the Japanese Patent Office, which has issued patent on all four of the priority Japanese applications. As further evidence of the invention's commercial success, applicant respectfully submits that licensing of the invention from HONDA to several third parties is now under negotiation. Of major interest to potential licensees is the tremendous cost savings (again approximately 50%) achieved using the peelable film of the invention over the conventional adhesive plastic films used by many/most manufacturers for protecting vehicles during shipping. A copy of a document related to the negotiations was provided to the Examiner during the interview on February 19, 2003.

As has long been recognized by the courts,

> Evidence of secondary considerations may often be the most probative and cogent evidence in the record. It may often establish that an invention appearing to have been obvious in light of the prior art was not. It is to be considered as part of all the evidence, not just when the decision maker remains in doubt after reviewing the art.

Stratoflex, Inc. v. Aeroquip Corp., 713 F.2d 1530, 1538, 218 USPQ 871, 879 (Fed. Cir. 1983), cited with approval in Vulcan Engineering Co. v. Fata Aluminum, 278 F.3d 1366, 61 USPQ2d 1545 (Fed. Cir. 2002).

In the present matter, the significant commercial success of the claimed invention is indicated not only by the substantial cost savings realized by Honda in its own manufacturing facilities (as discussed in the Affidavit of Hisashi Kurota included with the Amendment of December2, 2002) and the improved protection for the paint finished vehicle surface as discussed above, but also by the fact of current licensing negotiations with third parties, indicating respect for the invention in the industry.

Based on the foregoing, the rejection of claims 20, 27, 30-33, and 36-46 under 35 USC

§103(a) as set forth in the Office Action are believed to be overcome, and accordingly it is respectfully requested that the rejections be reconsidered and withdrawn.

Obviousness-Type Double Patenting

Claims 20, 27, 30-33 and 37-46 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 8, 63, 65, 9, 36-38, 12 and 66 of parent U.S. Patent Application 08/398,881.

Applicant's Response

Regarding such obviousness-type double patenting rejection, applicant notes that currently all claims are rejected in both applications such that there is no immediate need to submit a terminal disclaimer. At such point that allowable subject matter is indicated, applicant will either file a terminal disclaimer or simply pursue conflicting claims one of the applications.

New Claims 47-48

Applicant respectfully submits that new claims 47-48 are patentable over the references and evidence of record based on the arguments set forth above relative to claim 20, as well as on the merits of the additional features set forth in these new claims. For example, these claims emphasize that multiple or all exterior paint finished surfaces of the vehicle body are coated with the strippable paint during the vehicle assembly process prior to the assembly step. This again goes to the several advantages achieved by the invention over the conventional practices, as discussed above. Such features further distinguish over Woodhall's disclosure of protecting specific surfaces which are subjected to potential damage during specific operations on adjacent surfaces during the assembly process.

Conclusion

Based on the foregoing, as well as the arguments and evidence previously presented, applicant respectfully submits that the Examiner's objections and rejections set forth in the Office Action of September 12, 2003 are overcome, and that the present claims 20, 27, 30-33 and 37-48 are allowable over the references of record, whether considered singly or in combination.

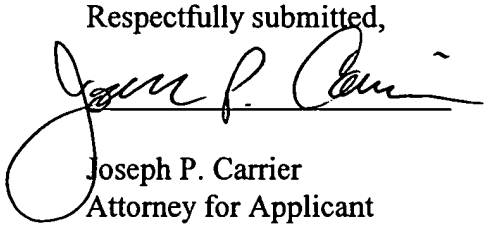
The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner is not fully convinced of all of the claims now in the application,

applicant respectfully requests that he telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Favorable consideration is respectfully requested.

Respectfully submitted,



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December 12, 2003

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted to the US Patent & Trademark Office, Art Unit 3726, on December 12, 2003.

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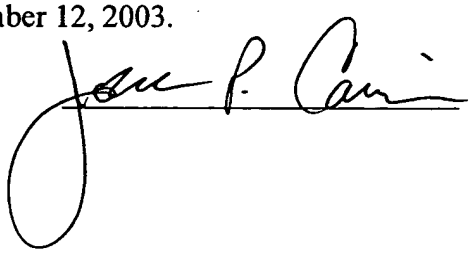

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FACSIMILE TRANSMISSION COVER SHEET

DATE: December 12, 2003 **OUR REF:** SKO-104-A-1-A **USSN 08/627,270**

TO (COMPANY) : US Patent & Trademark Office, Art Unit 3726

ATTN: Examiner Irene Cuda Rosenbaum

FROM : Joseph P. Carrier

FAX NO. CALLED: (703) 308-7058 NO. OF PAGES (Including this page) 20

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I hereby certify that this cover sheet and the enclosed document is/are being sent via facsimile transmission to the US Patent & Trademark Office, Art Unit 3726, on 12 December 2003.

Joseph P. Carrier

CONFIDENTIALITY NOTICE

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*** ACTIVITY REPORT TX/RX ***
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ST. TIME	CONNECTION TEL/ID	NO.	MODE	PGS.	RESULT
12/10 10:09		5248	AUTO RX ECM	1	OK 00'28
12/10 11:02	kudoh patent office 01181354716105	0256	TX ECM	1	OK 00'21
12/10 16:35	17038729314	0257	TX ECM	19	OK 04'26
12/10 16:41		5249	AUTO RX ECM	1	OK 00'48
12/10 17:57	toho int'l - csp 01181333201393	0258	TX ECM	1	OK 00'32
12/10 17:58	koyama & associates 01181335122751	0259	TX ECM	1	OK 00'22
12/10 23:21	734 422 5743	5250	AUTO RX ECM	1	OK 00'32
12/11 03:58	32 2 7153711	5251	AUTO RX ECM	1	OK 00'34
12/11 09:23	9565832488	5252	AUTO RX	1	OK 00'29
12/11 11:19	honda saitama 01181484601458	0260	TX ECM	35	OK 08'42
12/11 12:27		5253	AUTO RX ECM	1	OK 00'37
12/11 12:35	269 651 7611	5254	AUTO RX ECM	1	NG 00'23 1
12/11 15:08	honda saitama 01181484601458	0261	TX ECM	7	OK 02'23
12/11 15:21	517 322 1164	5255	AUTO RX ECM	2	OK 01'01
12/11 18:37		5256	AUTO RX	1	OK 01'33
12/11 20:59	81355613954	5257	AUTO RX ECM	2	OK 00'28
12/12 00:17	03 5288 5833	5258	AUTO RX	2	OK 00'53
12/12 00:33	81354716105	5259	AUTO RX ECM	1	OK 00'22
12/12 01:01	0484622945	5260	AUTO RX ECM	1	OK 00'30
12/12 02:21	shiga 01181352885831	0262	TX ECM	1	OK 00'22
12/12 02:27	01181484601458	0263	TX ECM	1	OK 00'30
12/12 02:29	NGB Corporation 01181355613954	0264	TX ECM	1	OK 00'28
12/12 11:50		5261	AUTO RX ECM	1	OK 00'32
12/12 15:12	248 347 9634	5262	AUTO RX ECM	1	OK 00'36
12/12 15:29	2483440092	5263	AUTO RX ECM	4	OK 00'46
12/12 16:07	2483440092	5264	AUTO RX ECM	2	OK 00'26
12/12 17:18	honda saitama 01181484601458	0265	TX ECM	45	OK 11'12
12/12 18:00	17033087058	0266	TX ECM	20	OK 04'52
12/13 17:21		5265	AUTO RX	1	OK 01'37
12/14 19:52	03 3512 2751	5266	AUTO RX ECM	19	OK 02'41
12/14 23:37	81354716105	5267	AUTO RX ECM	1	OK 00'20
12/15 05:30	0484622945	5268	AUTO RX ECM	1	OK 00'31
12/15 07:59	honda saitama 01181484601458	0267	TX ECM	1	OK 00'30
12/15 08:00	kudoh patent office 01181354716105	0268	TX ECM	1	OK 00'19
12/15 08:01	koyama & associates 01181335122751	0269	TX ECM	1	OK 00'19
12/15 13:08	5192286455	5269	AUTO RX ECM	15	OK 06'06
12/16 01:56		5270	AUTO RX	1	OK 01'36
12/16 02:43		5271	AUTO RX ECM	1	OK 00'18
12/16 03:21	0355613955	5272	AUTO RX ECM	80	OK 12'54
12/16 03:53	NGB Corporation 01181355613954	0270	TX ECM	1	OK 00'32

EXHIBIT
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